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R E A S O N S

W H Y T H E

Approaching TREATY of PEACE

S H O U L D B E

Debated in PARLIAMENT:

As a Method most Expedient and
Constitutional.

In a LETTER addressed to a GREAT MAN.

A N D

Occasioned by the Perusal of a Letter addressed to
TWO GREAT MEN.

*Lex justissima, provida c. rcumspectione stabilita, ut quod omnes
tangit, ab omnibus approbetur.* Clause of a Writ of Edw. I.



L O N D O N :

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MDCCLX.

R E A S O N

Applying Law to Fact

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Legal Principles

Case Studies

Conclusions

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REASONS, &c.

S I R,

THE truly patriot Spirit which you have shewn during the Continuance of your short but glorious Administration, the Attention you have paid to every Hint for the public Good, without regarding from what Quarter it proceeded, naturally encourages every Well-wisher to to his Country to offer his Sentiments on the Prospect of an approaching Peace.

Pardon me, Sir, the Presumption of adding one to the numerous Addresses which have been made to you on this Occasion. As I am persuaded that *they* are most patient of Remonstrance who are best able to give Advice, I flatter myself that the Liberty will not offend you.

I do not pretend, Sir, to administer Council, but only to state Matter for your, and the public, Consideration. If what I propose

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pose is worthy of Attention, it will reach your Notice ; if not, it will deservedly perish with those many fugitive Productions, which breathe their last before they are well delivered from the Press.

My Proposal, such as it is, was suggested by the Perusal of a Pamphlet, entitled, *A Letter addressed to Two Great Men*, wherein a Passage occurred, which induced me to deliver my Thoughts on the Subject of that Treatise.

Perhaps it would not be difficult for me to point out the Letter-writer by Name ; but as his Sentiments only are the proper Objects of public Consideration, an Attempt to discover his Person, might be justly deemed idle and impertinent.

Whoever he is, he appears to be well experienced in national Affairs, and not unaccustomed to handle his Pen. We may, in many Parts, perceive Flashes of that Spirit, which so greatly contributed to drive a late powerful Minister from the Helm of State, which he had so long directed against all the Torrent of Opposition : And from some distant Allusions to the turbulent Transactions of those Times, we may discover the Letter-writer to be a Veteran in Politicks.

With

With regard to the Terms which he thinks necessary to be insisted upon at the Conclusion of a Peace, he may, in some Instances, perhaps be deemed too sanguine. But if, on particular Points, he discovers an Exuberance of Zeal, yet, upon the Whole, in my humble Apprehension, he appears to be intelligent and discreet.

But I do not mean to enter into any Disquisition relating to the Particulars of his Proposals. None are better capable of judging what are the proper Terms of Peace, than they who have conducted the War to such a happy and glorious Issue.

Therefore leaving the Terms of the expected Treaty to wiser Consideration, I beg Leave to offer some few Observations with respect to the *Method of negotiating*.

The Terms to be obtained by the ensuing Negotiation will, I apprehend, in a great Measure depend on the Method of treating. This is the primary Object of Attention, and cannot be too minutely considered.

Whatever is conducive to a profitable and glorious Accommodation, is of the utmost Importance to this Kingdom. A good and stable Peace alone can ensure the Prosperity, nay, the very Being of this Nation.

However we may flatter ourselves, in the smiling Hours of Triumph, that we are sound and vigorous, yet it will require many Years of uninterrupted Peace, to recover from the Disorders and Calamities of War.

It will be our own Faults, if we do not secure a full Opportunity of strengthening and securing our Constitution. Though our Strength is debilitated, that of the Enemy is utterly exhausted. We may prescribe our own Terms, and compell them to accept of our Proposals.

To give away with the Pen, as we have done formerly, the Advantages gained by the Sword, would be an Instance of most unpardonable Inattention. The Enemy has no Resource but in Perfidy and Chicane: We know their Disposition, and ought not to leave them an Opportunity of frustrating their Engagements by the Arts of Quibble and Intrigue.

It may be imprudent, therefore, to hazard a distant Negotiation. The Letter-writer proposes to fix the Scene at home, and to name no other Plenipotentiaries to conduct the Peace, but those Ministers who directed the War.

This Proposal is wise and just. To see the Direction of the Treaty in such Hands,

would give universal Satisfaction, and afford the strongest Assurance of its being concluded with Skill and Integrity. But I beg Leave to extend the Proposition.

The Letter-writer, Sir, premises, that “ by the Extinction of factious Opposition, the Channel of parliamentary Instruction is stopped, so that no other but that of the Press is left open, for those Heads of Advice to which it may be worth a Minister’s while to attend.”

This is the Passage, Sir, which struck me with Concern, and opened a Train of Thought, which gave Birth to the Proposition which I shall recommend in the Sequel.

Surely it must surprize, and grieve every Lover of the *British* Constitution to hear, from such good Authority, that the Extinction of factious Opposition by the happy Unanimity of every Party, should have closed the Channel of parliamentary Instruction. Can Instruction then never reach the Ears of a Minister in Parliament, but from the Mouth of Opposition ?

I use the Word Opposition here, in the Sense in which the Letter-writer employs it; not as denoting a Difference of Opinion, but a Variance of Party, and Disagreement of Faction.

Instruction

Instruction conveyed through such a Channel, can serve only to gratify Malignity on one Hand, and mortify Pride on the other. It is like the Application of a Caustick, which must torture the Patient, before it can operate to his Benefit.

No one, Sir, can entertain a higher Notion of the Dignity of Parliaments than myself, or bear greater Respect to their Authority. For the Honour, therefore, of those august Assemblies, nay, for the Credit of human Nature, I am unwilling to believe, that nothing but Enmity to a Minister can open the Mouths of our Representatives, and that senatorial Eloquence has its Root in Faction.

Such a Supposition, Sir, would be, in the highest degree, injurious to the Reputation of Parliament. Every one is presumed to come there with a Disposition and an Ability to serve his Country. Consequently they will be earnest in communicating whatever they deem essential to that Purpose, and resolute in opposing whatever they apprehend to have a contrary Tendency.

The Discharge of these Duties, supposes them neither biased by their Connections with one Party *, or prejudiced by their Enmity

* I use Party here in *pejorem Sensum*. An Association for the Purpose of resisting Oppression or redressing

mity to another. A real Concern for the common Welfare, will direct every Speech, and determine every Vote. They will remember that they are summoned together to council, not to wrangle; to debate, not to dictate.

If the worst of Avarice is that of Sense, the Parcimony is doubly criminal in a Senator. To advise, is the Privilege, nay, the Duty, of every one in Parliament; to direct, can be the Lot but of a few. Men may be unanimous about the End, yet differ with respect to the Means.

But such is the Pride of human Nature, that they who have a Capacity for advising, aspire to govern. Not content to draw in friendly Concert with others of equal Abilities, they are eager to take the Lead, and scorn to assist those whom they cannot rule.

It is difficult to conceive any thing more mortifying and deplorable, than to see Faction, disappointed in its towering Views of Ambition, sit down in sullen Silence, and acquiesce with affected Unanimity.

Unanimity I cannot call it, since the Mind has no share in the Acquiescence. It is at

sing Grievances, is not a Party in the appropriated Sense of the Word. As *Sallust* observes, *Hæc inter Bonos Amicitia, inter Malos Fæctio est.*

best

best but a negative Union. Necessity compels an outward Conformity, but the Will yet continues in Opposition.

An Union of this Kind, is like a broken Glass decorated with curious Painting. The Colours hide the Flaw, but do not repair the Fracture.

I am willing to suppose, however, that there is a farther, and pardon me if I say a better, Reason than that assigned by the ingenious and worthy Letter-writer, why the Channel of parliamentary Instruction is stopped on the Subject of the expected Treaty of Peace.

As the Power of denouncing War, and concluding Peace, are among the grand Prerogatives of the Crown, it might be indecent, perhaps, in the Parliament to anticipate the royal Decision, by recommending Terms of Accommodation.

Such a Liberty might be thought to entrench too far on the Sovereign's Prerogative ; of which every loyal and dutiful Subject will be more than commonly tender. No Prince ever exercised it with such Lenity and Caution, or ever was more scrupulously attentive to the Preservation of public Freedom.

To

To open the Channel of Parliamentary Instruction therefore, without trespassing on the royal Prerogative, or violating the subsisting Unanimity, and thereby establish the most efficacious Method of conducting a Treaty of Peace, is the Design of the present Treatise.

To accomplish this great and desirable End, you, Sir, may be the noble Instrument. As the most effectual Means to attain it, it depends upon you, to dispose our Patriot Sovereign graciously to *consult* with his faithful and affectionate Parliament at this important Crisis, with regard to the Terms of the ensuing Negotiation.

The Parliament is aptly stiled the King's *Grand Council*. Who so fit, under the Royal Favour, for debating about the Terms of Peace, as they who have so chearfully and generously voted such large Supplies for prosecuting the War?—Supplies, indeed, which were not granted in vain, since they have been most profitably and gloriously applied.

Such a Condescension in the Crown, would endear his Majesty's Memory to the latest Posterity, and do farther Honour, Sir, to your Administration. It would be the brightest Circumstance in the shining Annals of these Times. It would argue that kind Confidence in the Wisdom and Affec-

tion of Parliament, which alone, in a Government constituted like ours, can make a King happy, and the Nation prosperous. A firm Union between the King and People, under a free Constitution, adds greater Strength and Security to a Kingdom, than all the Fleets and Armies which a Treasury can purchase.

The Unanimity which now happily subsists in Parliament, seems to invite such Confidence. The Rectitude of the Measures which have been pursued; and the unparalleled Success with which they have been crowned, has conciliated all disinterested Minds, and even forced Faction to dissemble Conformity.

Such a Disposition affords the fairest Opportunity of *reviving a Practice* which is consonant to Reason, and, as I hope to shew, agreeable to the Constitution.

The Letter-writer himself observes, that "the wisest Measures have been pointed out in the Course of Parliamentary Debate; and that Members of either House, perhaps those least consulted by Government, have frequently been earliest in suggesting such Plans of Policy, as Government itself has been glad to adopt."

Shall

Shall then the Benefit of such public Deliberation be lost, on so important an Occasion? What Subject more interesting can engage the Attention of Parliament? Shall the Representatives of the Nation be summoned together to furnish the Means of Victory, and shall not they be consulted about the Disposal of the Fruits of Conquest?

Can any valid Reason be assigned, why a Treaty of Peace should not be debated as well as an Act of Parliament? Perhaps all the Statutes combined, which have passed this Session, are not of half the Consequence to the Honour and Interest of the Kingdom, as the approaching Treaty.

If the Scene of Negotiation is fixed at Home, and the Terms of the Treaty deliberated upon in Parliament, such Regulations will deter the Enemy from offering trifling and evasive Proposals and Objections.

Should it be supposed, however, that such a Method would protract the Negotiation, by Means of the various and lengthened Debates which may arise on the Subject, it may be answered, that in a Consideration of Peace, in our Circumstances as Victors, the Delay cannot be dangerous.

In Matters of War, and other Concerns which require Vigor and Dispatch, or Secrecy,

crecy, it is just that the Sovereign, with whom the Executive Power is wisely lodged, should act of his own mere Motion, or by the Advice of his Privy Council.

Great Bodies are not proper to deliberate about Affairs which require prompt Execution. Before they can come to a Determination, perhaps the critical Moment on which Success depends, is irretrievably lost.

But in important Cases, the Result of which depend more on mature Consideration, than on the Vigour of Execution, great Bodies are undoubtedly most fitting to hold Consultation.

Where all are interested, all should be consulted; unless some impending Danger renders it hazardous to collect the Advice of many. In the Words of my Motto, *It is a most just Law, established with the most provident Circumspection, that what concerns all should be approved by all.*

This is agreeable likewise to the Policy of our German Forefathers, as appears from *Tacitus. De minoribus Rebus* PRINCIPES consultant, *De Majoribus* OMNES.

In time of Peace, their Princes were no more than great Judges: As may not only be gathered from the Historian above cited, but from *Cæsar*, who says, *In Pace nullus*
com-

communis est magistratus, sed Principes regionum atque pagonum inter suos jus dicunt, controversiasque minuunt. What related to national Affairs was debated in the great Assembly.

Perhaps no Subject ever engaged the Attention of Parliament, since the Revolution, of more Importance to the Honour and Welfare of this Kingdom, than the approaching Treaty.

Public Expectation hangs upon it, and anticipates the Glory and Security which is to arise from it. Every one is sensible of our Power to do ourselves Justice; every one is convinced of the Necessity of exerting that Power with Resolution and Discretion.

Under such Circumstances, why should a Treaty be concluded in the Dark? Why should not the Parliament be consulted on a Transaction of such uncommon Moment? The extraordinary Zeal and Attachment which has been deservedly shewn to his Majesty's Person and Government, seems to merit such Condescension; and the Unanimity and Wisdom of Parliament, to deserve such Confidence.

Happily, Sir, we are not now in the Condition we were at the Peace of *Utrecht*. It is not necessary for you to intrigue Under-hand with

with *French Agents* and *French Spies*. Nor would you submit to such base Modes of Negotiation.

It is not necessary for you, to expedite a Peace on any Conditions, in Order to secure yourself and Friends in Power, and defeat the Interest of an opposite Party, whose Influence depends on the Continuance of the War.

These, among others, were the Causes which produced that disadvantageous and inglorious Treaty. The *French* knew the Perplexity in which the selfish Views of the Ministers involved the Administration, and they prudently took Advantage of this Embarrassment.

The Case now is widely different. The Unanimity which subsists among all Orders of Men: The Wisdom, Integrity, and Spirit of the Administration, deprive the Enemy of all Hopes of imposing upon us by dishonourable and delusive Terms.

They know that it is not so much our Interest, as theirs, to accelerate a Peace. It is our Business, they are sensible, to deliberate maturely on every Article, that the Exposition of the Treaty may not hereafter be left to the Interpretation of Commissaries. For once

once we may make the imperious Enemy wait our Leisure.

If the Treaty is debated in Parliament, such solemn Deliberation will not only give it additional Weight with our Enemies, but with all other interested Powers.

Such a conspicuous Proof of firm Confidence between a triumphant King and his victorious People, will cause all *Europe* to admire, dread, and respect the *British* Crown and Nation.

It may be objected, perhaps, that in a Debate of this Kind there will be a great Difference of Opinions, and Diversity of Propositions, which may tend to perplex the Negotiation. But probably such Contrariety will rather tend to remove Difficulty, than introduce Perplexity.

Many, no Doubt, of sanguine Expectations, will be eager in insisting upon Terms of Parade and Vain Glory. But cooler Judgments will correct their Impetuosity.

The most rational Triumph after a Victory, is Moderation. The Insolence of Conquest debases the Merit of the Conqueror. It mortifies the Enemy's Pride more than a Defeat, and whets his Appetite for future Revenge.

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It tends likewise to inflame the Jealousy and provoke the Animosity of other Powers. Among States, as among Individuals, the Arrogance of Superiority never fails to give Offence and create Enmity.

But a moderate Use of superior Power, on the other Hand, alleviates the Enemy's Sufferings, softens his Disgrace, and perhaps may reconcile him to his Fate: While, at the same time, it removes the envious and jealous Apprehensions of other States, who may become Friends to the Victor, when they see him use the Prerogatives of Conquest with so much Lenity and Justice.

Our Sovereign has afforded the World a signal Proof, that he not only knows how to conquer, but how to employ Victory to the noble Purposes of Justice and Humanity. Even in the giddy Hour of Triumph, his royal Breast swells with Compassion, and mourns the Effusion of Christian Blood. Forced into a War in his own Defence, victorious in all Parts of the Globe, he forgives his Wrongs, forgets his Conquests, and graciously offers that Peace, which his Enemies dared not ask.

Something however is due to the Honour of the Nation. Reputation, in one Sense, is Power: And it becomes us at least to efface

face those Stains, which remain as so many Reproaches on our Character.

As the Enemy therefore at the Conclusion of the last Peace, compelled us to the degrading Necessity of pledging Hostages of our Faith, it may be adviseable to oblige them to make us Reparation in this Respect, by sending two Noblemen of equal or superior Rank, as Pledges of their faithful Performance of those Conditions which may not admit of immediate Execution.

But obstinately to insist on Terms purely of Vain Glory, where the Vindication of our Honour, formerly injured in the same Instance, does not justify our Pertinacity, is highly impolitick and unjust. Yet many, as I have observed, of warm Temperature, will be earnest in recommending such violent Extremities.

Others, it may easily be foreseen, swayed by private Interests and Attachments, will make their own partial Views the Foundation of their several Propositions and Objections.

Some probably will argue with the Letter-Writer, that the Possession of *Guadaloupe* need not be made a necessary Condition of the Peace, as we have so many Sugar-Islands of our own: And that *Senegal* and *Goree* are not of Consequence enough to make us

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Amends

Amends for the annual Mortality of our brave Countrymen to guard our African Coasts.

Others, on the contrary, biaſſed by oppoſite Interests, or prejudiced by different Propenſities, will conſider the Retention of thoſe Places as the *ſine quibus non* of Accommodation. They may think, with Reſpect to *Guadaloupe* in particular, that our Sugar Plantations being in too few Hands, the Extension of the Trade by the Poſſeſſion of *Guadaloupe* would be of general Benefit.

But from this clashing of various particular Interests, and from this Oppoſition of Sentiment, your Diſcernment will better enable you to diſcover the general Interest, and to form your Concluſions accordingly.

You, Sir, will probably have no Objection to the Method which I have the Honour to propoſe of negotiating a Peace in Parliament. You will there have a public Opportunity of diſplaying your Abilities in Negotiation, and of convincing the World that your Skill in managing a Treaty of Peace, is equal to your Spirit in conducting the War.

By the Power of your Eloquence and the Solidity of your Arguments, you will be able to ſilence inexpedient Propoſitions, and to remove groundleſs Objections. You will gain
more

more Honour by such public Deliberation, than you can hope to acquire by a Treaty managed in the Cabinet; where your Country will only see the Result of your Judgment, without hearing the Reasons of your Resolutions.

Such a public Mode of Negotiation, Sir, will moreover be the Means of preventing all future Murmurings and Discontent. It will frustrate the Designs of factious Enemies at Home, if there are any such whom your Virtues have not reconciled, and utterly defeat their Hopes of pretending Imperfections in the Treaty, as the Means to discredit your Negotiation, and to remove you from a Post where you are so obnoxious to the Sons of Mammon and Corruption.

Though by Extinction of Opposition therefore, or through Tenderness for the Prerogative, the Channel of parliamentary Instruction be closed on the Subject of the approaching Negotiation, yet, when the Parliament is required by his Majesty to consult on that Head, it will be opened for the most noble and liberal Purposes. Every one then may freely declare his Opinion, though, till then, it might not be decent in any one to anticipate what is the proper Object of royal Consideration only.

It may be thought however by some, that the Method proposed is not strictly constitutional.

tional. To those who are but little versed in Antiquity, the Revival of antient Custom may bear the Appearance of modern Innovation.

I therefore beg Leave to enumerate some Instances where the Kings of *England* have condescended to consult with their Parliaments * on the Subjects of Peace and War. Instances, Sir, which, though familiar to your Recollection, will, I am persuaded, be new to many of my Readers.

It would be easy for me to trace this Practice beyond the *Norman* Period, or even beyond the Time of the *Anglo Saxons*: But as such an Investigation might seem rather calculated for vain Parade than substantial Proof, I shall confine myself to such Examples as occur since the Conquest.

The first which I shall produce for this Purpose is in the Time of King *John*. There is the first Summons on Record to the Peers or Barons, *Traçturi de Magnis & arduis Negotiis*. The Particular Business was about a War of Defence against the *French*: And that the Commons were admitted at this Time may be concluded from the following

* I use the word *Parliament* here to signify the great Assembly of the Nation; as it was formerly called *Commune Consilium* or *Magnum Concilium*. At what Time Parliaments took the present Model is still a *Vexata Quæstio*, and foreign from my Discussion.

Ordi-

Ordinance : *Provisum est assensu Archiepiscoporum, Comitum, Baronum, et OMNIUM FIDELIUM NOSTRORUM ANGLIÆ, quod novem milites per Angliam inveniend. decimarum, &c.*

The next is in the 49th of Henry the 3d, when a Parliament was called to *advise* with the King *pro PACE asscuranda & firmanda*. These are the Words of the Writ; and, where Advice is required, Consultation must necessarily be admitted.

His Son, Edward the 1st, who for his Wisdom was stiled the *English Justinian*, upon hearing that the *French King* intended to invade Part of his Inheritance, summoned a Parliament, and in the Writ for that Purpose inserted those admirable Words which I have chosen for my Motto *.

His Son, Edward the 2d, assembled a Parliament to advise *super diversis negotiis statum regni & expeditionem Guerræ Scotiæ specialiter tangentibus*. In the 13th Year of his Reign a Parliament was called to advise, *super arduis negotiis statum Gasconiæ tangentibus*: And in the 16th, to consult *ad refrænandum Scotorum obstinentiam & militiam*.

* It is observable that the Words of the Motto speak of this Practice as a *Law*. But perhaps this is not a proper Time for insisting on the Revival of such a Practice as a *Right*.

Edward

Edward the 3d, in the first Year of his Reign, summoned a Parliament *super præmissis tractare & consilium impendere*, before he would *resolve upon Peace or War* with the Scotch King.

In the fifth Year of his Reign, the Chancellor declared to the Parliament the Cause of their being assembled, which was to consult and resolve, whether the King should proceed with *France* for Recovery of his Seignories, by Alliance of Marriage, or by War? And whether he should go over in Person or not, to suppress the Disobedience of the *Irish*?

In the 13th Year, the Parliament is reassembled to advise *de expeditione Guerræ in partibus transmarinis*; and Ordinances were made for Provision of Ships, for arraying of Men for the Marches, and for Defence of the Isle of *Jersey*, appointing such in the Record, as *they conceived* most proper for the Employment to which they were destined.

In the 17th, it was declared to the Peers and Commons, that, by their Assents, the King had undertaken the War in *France*, and that a Truce was offered by Mediation of the Pope, *which the Sovereign forbore to accept without their good Allowance*. The Lords therefore consulted apart, and the Com-

Commons returned an Answer by Sir *William Trussel*, that they approved of the Truce and of the Pope's Mediation; and farther, that it was their *Advice and Desire* that the Quarrel might be composed.

The Pope's Undertaking proving fruitless, and Delays being of Advantage to the *French*, the King assembled the Parliament the Year following, at which Time the Peers and Commons, after many Days Consultation, *resolve to end the Contest*, either by offering Battle or proposing Peace, and no more to rely on the Mediation of his Holiness.

In the 21st Year, Chief Justice *Thorpe* declared to the Parliament that the *French War* first began by their Advice, that the Truce was afterwards accepted by their Assent, and that being now expired, it was the King's Pleasure to have their Council in the farther Prosecution of the War. The Commons being commanded, *Que ils se deveroyent trait ensemble & se qu'ils ensenteroient monstrier au roy & au gravitur de son Consilio.*

In the 25th, a Parliament was summoned to advise the King with Relation to the *French Concerns*: And for *more quick Dispatch*, his Majesty ordered the Commons to *elect Twenty-four or Thirty* of their House to consult with the Lords.

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In the 27th, a Parliament was assembled to consult concerning the Prosecution of the *French War*, when honourable Peace could not be obtained; but the Year following a Truce being offered, the King *refused to accept the Proposal, until he had the Consent of the Peers and Commons; which they granted to him by public Instrument in Parliament before the Pope's Notary.*

In the 36th Year, he called a Parliament to consult whether he should declare War against the King of *Scots*, or conclude Peace with him.

In the 7th Year of *Richard* the 2d, the Commons were commanded to consult upon *View of Articles of Peace with the FRENCH*, whether War or such an Accommodation should be accepted. They modestly excuse themselves as too weak to advise in such weighty Affairs. But being charged again as they tendered the Honour and Right of the King, they made this Answer; *Quils intendent que aucunes fermes & terres que mesme leur Liege auroit oil pur cest accord in Guien, si ferront tenu dobt Roy Francois par homage & service, mais ne perfont uny que leur dit Liege voiroit assenter trope legierement de temer dicens Francois per tiel service la Ville de Callis & aultres terres conquises des Francoise per lespreneve verroit la comen en se faest fait, si autrement*

*trement leur perroit bien faire, giving their
Opinions rather for Peace than War.*

In the 13th of *Richard* the 2d, the Truce
with *France* being expired, the Parliament
was summoned to advise upon what Conditions
it should be renewed.

In the Year following a Parliament was
called, and the King asked Advice of the
Lords and Commons concerning the War
with *Scotland*, and would not, without their
Counsels, conclude a final Peace with *France*.

In the 17th Year, the King called a Par-
liament to consult about the Treaty of Peace
with *France*, and the Commons, being
charged upon their Faith and Allegiance, ad-
vised that Homage might be made for *Guien*,
an Appendage of the *French* Crown, so as
not to include other Parts of the *English*
Conquest.

Henry the 4th consulted with his Parlia-
ment on the same Subjects: Particularly in
the tenth Year of his Reign, when the Par-
liament was commanded to give their Advice
about the Truce with *Scotland*, and the Pre-
parations against the Malice of the *French*.

His Son, in the first Year of his Reign,
advised with his Parliament how to succour
his Allies and restrain his Enemies; and for
this

this Purpose there was a secret Committee of the Commons appointed to confer with the Lords.

Two Years afterwards Peace being offered by the *French King*, and the King of the *Romans* being arrived to conclude the Business, *the King refused to come to any Determination, before he had the Advice and Assent of the Lords and Commons*, which the Chancellor declared to be the End of the Meeting.

In the fourth and fifth Years, no Peace being concluded with *France*, he summoned the Parliament to consult about a War; and concluded a Treaty of Amity with *Sigismund King of the Romans*, by *Allowance of the three Estates*; and the Articles were entered upon the Journal Rolls.

In the eleventh Year, the *Treaty with France was perused and ratified by the Prelates, Nobles, and Commons of the Kingdom*.

His Son, in the second Year of his Reign, advised with the Lords and Commons about preserving the Peace with *France*: And in the third Year, they were called together to *advise upon, and consent to, a new Article in the League with Scotland*.

The like Instances may be found in the Reign of *Edward IV.* and others. Even that despotic Monarch, *Henry VIII.* condescended

scended to advise with his Parliament on such and other weighty Matters*.

It must be confessed, however, that in his Time, but more especially in the Reign of Queen *Elizabeth*, the Practice of advising with Parliament on these important Points began to decline, and the Custom of referring such Considerations to a ministerial Junto, gradually took place.

We all know in what a lofty Tone her Majesty used sometimes to address her Parliament, forbidding them *to meddle with high Concerns of State*. But though, in Words, she prohibited them from such Consultation, yet, in fact, she now and then permitted them to give, nay, solicited, their Advice.

Her Successor, *James I.* obstinately tenacious of Prerogative, and more jealous of his own Parliament than of foreign Powers, took all Opportunities of restraining the Freedom of Debate by his proverbial Check, *Ne futor ultra crepidam*.

Parliaments now began to lose their Dignity. They were no longer considered as Channels for Instruction, but as Mines for

* * For Instances where our Kings consulted with Parliaments on other weighty Matters besides War and Peace, see the great Antiquary Sir *Robert Cotton*.

Wealth : Ministers did not dive there for Advice, but dig for Ore.

His unhappy Son and Successor, *Charles I.* was tempted to pursue the same unconstitutional System of Policy, and attempted to govern wholly by ministerial Influence.

But the Parliament, weary and ashamed of their own Insignificance, resolved to assert their Importance, and, without being consulted, took the Liberty of remonstrating. The calamitous Effects which these Remonstrances produced, are so well known, that I may spare myself the Trouble and Mortification of repeating the melancholy Detail.

Some time before, and after, the cruel and unparalleled Execution of that unfortunate Prince, Parliaments, if they may be so called, were one Hour every thing, and the next nothing. A deplorable Succession of Anarchy, Oligarchy, Stratocracy, and Tyranny alternately tore the Constitution and distracted the Kingdom.

At the *Restoration*, Parliaments once more recovered their antient Form, but did not regain their wonted Influence. An indolent and voluptuous Monarch, bound by Obligations on one Hand, and diverted by Pursuits of Pleasure on the other, resigned all his Concerns to the Direction of a chosen
few,

few. In what Manner the Business of State was conducted during this Reign by a private Junto, we need only consult *Clarendon* and other Writers.

His bigotted Brother and Successor, *James II.* justly provoked the Parliament once again to assert their Authority. To their memorable and glorious Struggle in the Cause of Freedom, we owe the happy REVOLUTION, which may be considered as the *Æra of British Liberty*, though, alas! at the same time the Epoch of Corruption.

At that Time our valuable Rights were confirmed, and the Subject's Passage to the Throne declared legal. But they were no sooner granted, than some were secretly purchased, and others artfully eluded.

A Fund of Venality was established, which made it unnecessary for Ministers to advise with Parliaments, to whom they had the Means of dictating. Our Liberties were mouldering in Fact, while they were still fresh upon Record.

You, Sir, have been witness to the Arts of Corruption. It is many Years since your youthful Ardour first contributed to check its Progress and defeat its Designs.

You have happily survived to fill a Post in the Administration, where you have an Oppor-

Opportunity of enforcing by your Practice, those Principles which you then so nobly urged and supported.

You have made such speedy Advances to this great End, as will do lasting Honour to your Administration. You have banished Corruption, infused Vigour into our Councils, established Unanimity in Parliament, and retrieved the Honour of the Kingdom.

Yet all is not done. It remains for you to restore that entire Confidence between the King and his Parliament, which antiently subsisted when that august Assembly was in reality the *Grand Council of the Nation*.

I have been the more particular in producing Instances, where our Kings used formerly, among other Subjects, to consult with their Parliaments with respect to War and Peace, and in shewing how such an amiable Confidence was at length interrupted, lest the Method of Negotiation which I propose, should be thought innovating and unconstitutional.

It is observable from the Examples I have above cited, that our wisest and greatest Princes have been most forward in advising with their Parliament; and we find that they absolutely refused to conclude *Treaties of Peace*, till the Parliament, *upon a View of*
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the Articles, had given their Advice and Consent.

It appears, indeed, from the Records, that the Commons, when called upon to advise concerning the Prosecution of a War, or to consult whether War or Peace was most eligible, frequently declined intermeddling with such weighty Concerns, and withheld their Deliberations, till pressed by their King's Command.

The Reason of this Modesty and Reserve on these Occasions, is obvious to every one of common Sagacity. We do not find however, that when called upon merely to deliberate upon the sole Subject of Peace, that they ever made any such modest Hesitations. The Reason no longer subsisted.

No Objection seems now to offer against reviving this antient and constitutional Custom of advising with Parliament. Why should less Distinction and Confidence be paid to that august Assembly now than formerly? Rather why should they not be honoured with higher Marks of Favour and Trust?

Since the Revolution, the Column of public Freedom stands on a broader Basis: And consequently instead of requiring Diminution, the Superstructure will admit of Enlargement.

Par-

Parliaments, nevertheless, have too long ceased to be what they were at their original Institution, and what they always ought to be, *the Grand Council of the Nation*. The Members of which it is composed, have been too long considered rather as the Bankers, than the Counsellors of the Kingdom : And Ministers have drawn upon *them* for *Money*, while they have taken *Counsel* of their own Pride and Interest.

We can now, indeed, happily boast of a Minister, who acts upon more just and enlarged Principles. A fair Opportunity now presents itself of restoring Parliaments to their antient, true, and respectable Condition.

Shall the People who have so chearfully and vigorously exerted themselves in the Prosecution of the War, be deemed not worthy of being consulted at the Conclusion of a Peace ?

Shall they who have purchased so many glorious Acquisitions by their Blood and Treasure, have the Mortification to find them disposed of by a Treaty concluded in private ? Shall the Articles be kept from their Inspection, till the Ratification of them has made it too late for them to offer Objections and propose Amendments ? Shall they who are chief *Parties* to the Negotiation, not be *Privies* to it ?

Such

Such a Proceeding might, at any time, be considered as unjust, unnatural, and repugnant to the Idea of that Confidence, which ought ever to subsist between a King and a free People.

But at such a Crisis as this, it would appear uncommonly hard and unkind. The present Parliament have shewn a most laudable Zeal and Attachment to his Majesty's Person and Government; they have preserved an Unanimity which has done themselves no less Honour than their Country Service, and they have readily granted Supplies which even exceed Credibility. For these distinguished Proofs of Loyalty, Wisdom, and Generosity, they undoubtedly merit a more than common Degree of Confidence.

His Majesty, who has been graciously pleased, in his Speech from the Throne, to express his Satisfaction in the happy Union which has subsisted among them, has now an Opportunity of rewarding their Merit, by calling Them to share in those councils to which their Forefathers were admitted: A Confidence to which they have the strongest constitutional Claim, since, without their Advice, his Royal Predecessors refused to conclude Treaties of Peace, or any other important Negotiations.

F

No

Such

No Time can be more opportune for re-establishing this desirable Intercourse and Confidence between the King and his Parliament. They are in the most proper Disposition to consult. No Party Animosities will thwart their Debates, no disaffected Opposition will perplex their Consultations.

The *Matter* of Debate likewise favours their Interposition. The approaching Treaty requires more Deliberation than Dispatch. But should Expedition be requisite, we might pursue the Example of our Ancestors in such Cases, and depute a select Number of the Commons, Forty, for Instance, (the Number which constitutes a House) to consult with the Lords on the important Negotiation which lies in Prospect.

But happily we can treat our Enemies as the Whig Ministry treated the Negotiators of the Peace of Utrecht *. We can make them stand at the Out-side of the Closet, while we at our Leisure determine their Fate within: And our Deliberations need not be secret.

As no Obstacle, therefore, in my humble Apprehension, opposes this Mode of Nego-

* Had that Treaty, which, in some measure, laid the Foundation of the present War, been debated in Parliament, the Terms, in all probability, would not have been so equivocal, inglorious, and unprofitable.

ciation,

ciation, why should not the approaching Treaty be conducted agreeably to the old and constitutional Method?

The Glory, Sir, of reviving this Practice, which Tyranny first suspended, and Corruption afterwards effaced, is reserved for you. In a Government constituted like ours, much, almost every thing, depends on the Skill and Patriot Efforts of a Minister.

As Treaties abstracted from Necessity do not bind States without some Degree of moral Equity to enforce their Observance, so municipal Laws have no Weight in particular Constitutions, unless public-spirited Principles in the executive and ministerial Branch, co-operate with the legislative Authority.

Should a Minister prove void of national Zeal and Integrity, the *Bill of Rights* would be as obsolete as the greatest part of *Magna Charta*. Paper and Parchment may be good Vouchers, but they are weak Guardians, of our Liberties. If we have no better Security, we may have Reason to exclaim with the Poet, *Quid Leges sine Moribus vanæ proficiunt?*

I own, Sir, that I am anxious to restore the Dignity and Authority of Parliament;

and I think the approaching Negotiation a favourable Occasion for reviving it.

You, who have ingenuously displayed your Plan of Operations with such engaging Frankness and Integrity, during the Course of the War, can have no Desire of concluding a Peace in Privacy.

You have throughout your whole Administration conducted yourself with an Openness and Sincerity, which has attached all disinterested Men to your Service. You have wisely kept no Secrets, but where the Discovery of your Designs might put the Enemy on their Guard, and thereby frustrate the Execution of your Schemes.

I am thoroughly satisfied therefore of your Inclinations, to co-operate in any Proposal for re-establishing the Reputation and Power of Parliament on its original Foundation.

But I need not speak of *my* Persuasions, your Country is convinced of your Patriot Intentions. Your Fellow-Citizens gratefully unite in extolling your Probity, and admiring your Capacity.

Persuaded, therefore, of your sincere Inclinations to promote the End which I have
in

in View, should you disapprove of the Proposal, I shall think myself unhappy in having recommended indiscreet Means.

Yet pardon me, Sir, if at present I judge the Means to be as conducive to your, and the general Interest, as the End, I am convinced, is to your Inclinations. You seem to have less Prospect of acquiring Reputation by a Treaty privately managed, than by one openly conducted. In the first Case, Envy and Malice will be forward to attribute its Merit to unknown Assistance, and its Imperfections to yourself: In the latter, you would publicly share the Glory, and your Country would reap Honour and Advantage, by a Mode of Negotiation calculated to revive the Influence of Parliaments.

As all Circumstances, therefore, seem to favour, as every Consideration seems to direct, the Revival of this antient and constitutional Method of proceeding, we may hope to see the Articles of the ensuing Treaty laid before Parliament, and debated by that august Assembly, before they are ratified by Plenipotentiaries.

This will be no Invasion of the Prerogative. The Power of denouncing War, and

concluding Peace, will still remain with the Sovereign : And the Consultation in Parliament, being in consequence of the King's Permission and Desire, will be a Matter of *Grace*, not of *Right*.

The good Effect of this happy Confidence, will be more extensive than is readily to be conceived. Europe, which has beheld the Power of our Arms with Amazement, will view this Instance of the Freedom and Harmony of our Government with Admiration ; and will be deterred from attempting to disturb a Kingdom so firmly united.

Our gracious Sovereign's Inclinations to contribute every thing in his Power to promote the Happiness, and secure the Freedom of his People, are well known. It depends upon you, Sir, if you approve of the Proposal, to point out the projected Means, which, among others, lead to this desirable End.

By your Endeavours, we hope to see the Work of Reformation completed. The restoring the Dignity of Parliament, the Independance of the Constitution, the Establishment of Oeconomy, and the Revival of Moral Virtue, are Blessings expected at your Hands.

Hands. The Public Hopes rest upon you.
Si Tu deseris, actum est !

Before I conclude, permit me to take Notice of the Letter-writer's judicious and spirited Representation, of the Dangers to which our Constitution is exposed at *Home*.—Dangers which he describes with such real Concern, and paints in such strong Colours, as at once do Honour to the Author's Zeal and Abilities.

His Reflections, in these respects, seem to merit most serious Consideration. His Apprehensions in particular of the Mischiefs which may arise from too numerous a *Standing Army* in time of Peace, appear to be too justly founded.

" I lament," says this animated Writer, " to see the Sentiments of the Nation so amazingly reconciled to the Prospect of having a far more numerous Body of regular Troops kept up, after the Peace, than any true Lover of his Country, in former Times, thought could be allowed, without endangering the Constitution."

Undoubtedly the present extravagant Fondness for military Establishments of every Kind, must alarm all true Lovers of their Country,
 who

who are capable of extending their Thoughts to Consequences.

You may remember, Sir, when our Patriots, about the Years 1737 and 1738, were so jealous of military Power, that they would scarce endure the Beat of a Drum within hearing of the Metropolis. Now they see, without Concern, our Palaces converted into Barracks; and are become so fond of Soldiers that they would even quarter them in their dwelling Houses.

In all free States, where the Passions have their full Scope, the Public are generally extravagant in their Attachments, or violent in their Aversions.

All such Excesses, however, are every way to be dreaded: And I wish, that, when the Conclusion of a Peace has made our military Gentlemen no longer of immediate Service, an ungrateful Aversion may not take Place of this immoderate Fondness.

In the View of sober Consideration, we ought, in time of Peace, to look upon Soldiers as Men who, though immediately burthenfome and unserviceable, have been, and may hereafter be, useful: And in time of War, as Men who, though of present Utility,

lity, have been, and may hereafter be, troublesome and dangerous.

To consider them in this Light, will teach us Gratitude towards them for their past Services, and learn us Caution to guard against the Dangers with which their Power may threaten us hereafter.

It will require all your Skill and Attention, Sir, how to dispose of the redundant military Force, on the Conclusion of a Peace. Something may be thought due to a Number of brave Men, who have so gloriously ventured their Lives in the Service of their Country : Some Provision should be thought of, that they may not be under a Necessity of prowling about, to the Terror, and perhaps to the Detriment, of their Fellow-Citizens.

Something likewise is due to the Safety of the Nation. At all Events, the present military Propensity, against which the Letter-writer so justly inveighs, ought to be checked.

It is at the Time when over zealous Fools ridicule Caution, and call it Mistrust, that Mischiefs imperceptibly steal upon the Constitution.

G

Our

Our best and most popular Princes and Ministers have generally laid the Foundation of those Misfortunes, which were fatally experienced at succeeding Periods. Their Successors, being invested with the same Power without the same good Inclinations, changed that Confidence into a Curse, which in the Hands of their Predecessors was a Blessing to the Nation. It is in this Respect alone, that we have any thing to fear from his Majesty, or his Ministers.

I speak thus freely, without any Apprehension of giving Offence. I speak of a King who does not wish to extend the Prerogative: I speak to a Minister, who covets no Power inconsistent with the Constitution.

With such Dispositions therefore in his Majesty and his Servants, what should prevent Parliaments from being restored to their former Influence and Importance? We may be assured that no subordinate Authority will be truly respectable, while that is held in light Esteem.

Should Parliaments ever be again, what we know they have been, Machines moved
2 by

by secret ministerial Springs; should they assemble tutored before-hand, and repeat the Lesson of Servility, or with mute Submission stoop to be counted, on a Division, among the Herd of Venality; should they, who are summoned together to decide on the important Points of religious, moral and political Duties, know no other God than Mammon, no other Virtue than Pliability, no other Policy than Self-Interest; should they be the Creatures of those over whom they should superintend, and be worse than Cyphers in the Service of their Constituents; should they wantonly, indolently, or corruptly vote away the Treasure of the Kingdom, without making any Inquiry into the Application; should they be considered as the Pursebearers of their Constituents, rather than as the grand Counsellors of the State—How would their Dignity be impaired? How would the Honour and Welfare of the Nation be endangered?

Where public Virtue is wanting, all national Success is only transitory. It is like a rich Legacy to a Spendthrift; it serves to pamper Luxury, and accelerate his Ruin. Nothing but religious and moral Principles can enable us to secure the Advantages

we have acquired, and ensure our Prosperity.

These Principles cannot be expected to actuate the People, where they do not appear to influence the Parliament. If *they* do not preserve their Virtue and assert their Dignity, the People will copy their Manners, and become corrupt and abject.

The late Revival of public Spirit, is a recent Proof of the powerful Effects of parliamentary Influence. The Unanimity and patriot Zeal which that august Body has shewn through the Course of the War, has diffused itself over Men of all Ranks and Denominations.

The Love of our Country, thank Heaven, is no longer an Object of Ridicule, but considered as a serious Duty : And Instances of public Generosity, Benevolence and Humanity daily multiply.

It is no Flattery, Sir, to pronounce you the chief Instrument of this happy Change. Would you have the Effects of your Administration survive your Power ; would you complete the glorious Work of Reformation ; would you be a Favourite of the wise
and

and good ; would you have your Name live to future Ages, and be honoured in the Grave ;—Begin by supporting the Dignity, and reviving the true and original Use of Parliaments.

Should they lose their Importance, they will never long maintain their Independance. When they know that they are but Machines, they will naturally act mechanically. Such as they are, such will be their Constituents : For the far greater Part of Mankind act by Imitation. May our Representatives therefore ever be sensible of their Dignity ! And may Virtue become the Fashion !

You, Sir, have contributed much to this desirable End. Yet much remains to be done. I am sensible of the Obstructions which the Principles of some, and the Interest of others, will raise to check your Progress towards farther Reformation. I am not so little conversant with the World, as not to know that there are many secret Murmurers against you, who only wait for the slightest Opportunity of being loud in Opposition.

But this is not all. The long Neglect and Ridicule of every serious Duty, and the avowed Maxim of governing by Corruption, has

has debased some of the noblest Minds, and settled Habits of Depravity, which only Time and Perseverance can conquer. *Consummata est infelicitas, ubi, quæ fuerunt vitia, mores sunt.*

Yet every thing is to be expected from your Prudence, Spirit, and Virtue. But I do not mean to write your Panegyrick. Let your future Conduct be your Elogium. That will speak a Language which cannot lie: But the Pen of Adulation, Sir, is as current in the Service of a *Sejanus* as of a *Sully*.

If what I have had the Honour to propose, should be deemed in the least Degree conducive to the great End of *improving* the Confidence between the King and his Parliament, and of giving additional Weight to that august Body, I shall think myself happy in having suggested the Thought.

It becomes me, however, Sir, to apologize to you, and to the Public, for these rude and hasty Sketches. But had I Power to command the Graces of Writing, my Eagerness to communicate a Proposal, which to me appeared so expedient, would have frustrated my Endeavours towards Improvement and Elegance.

I am

I am more anxious of meriting the Distinction of a zealous Citizen, than ambitious of gaining Applause as a good Writer.

I have the Honour to be,

With real Respect,

Sir,

Your most obedient,

And most humble Servant,

The AUTHOR.

F I N I S.

E R R A T U M.

Page 15, Line 2, for *Pagonum*, read *Pagorum*:

I am